

Rechtsgeschichte Legal History

www.lhlt.mpg.de

<http://www.rg-rechtsgeschichte.de/rg30>
Zitiervorschlag: Rechtsgeschichte – Legal History Rg 30 (2022)
<http://dx.doi.org/10.12946/rg30/278-280>

Rg **30** 2022 278–280

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A Digital Treasure Trove for Portuguese Legal History

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A Digital Treasure Trove for Portuguese Legal History*

In the past few years, major resources have become available for researchers of Portuguese legal history. In this context, António Manuel Hespanha played a pioneering role; he was responsible for creating the first online digital library on Portuguese and colonial legal texts, hosted by the NOVA School of law (<https://novalaw.unl.pt/arquivo-digital-antonio-manuel-hespanha>). Here, the user has access to a curated collection of books on doctrinal works, draft legislation, parliamentary debates, legislative pieces, and jurisprudence, mainly covering the constitutional period and the liberal reformation that took place after the 1820 revolution. Inspired by Hespanha's aim to create accessible collections of sources, two other projects focused on legislation from the early modern

and modern periods: *Ius Lusitaniae* and, more recently, *O Governo dos Outros*, which integrated the data from the former and extended the chronological scope to the Portuguese colonial experience (<http://www.governodosoutros.ics.ul.pt>). In the same vein, and building on previous experience with these projects, LEGALPL – Legal Pluralism in the Portuguese Empire (18th–20th centuries) (<https://pluralismojuridiconoimperio.fd.unl.pt/>), promises to further expand on the digitization of colonial legislation.

What these projects have in common is that they were guided by a questioning of the role of law, jurists, and the legal profession in the shaping of early modern and modern Portugal and its interactions with non-European societies. One

* DIGIGOV – Diário do Governo Digital (1820–1910), <https://digigov.cepese.pt/en/homepage> (last visited 13 July 2022)



DIGIGOV-DIÁRIO DO GOVERNO DIGITAL 1820-1910

NEWSPAPERS

SEARCH

STUDIES

DIGIGOV/CEPESE

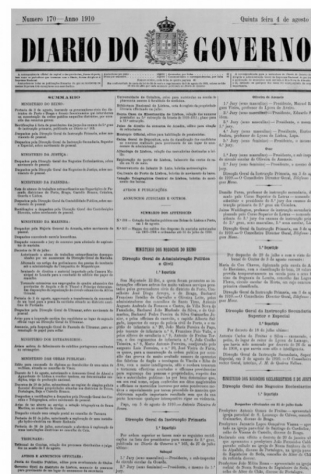
CONTACTS

The official newspaper of the Portuguese State, especially during the Constitutional Monarchy (1820-1910), constitutes a basic source for the knowledge of the History of Contemporary Portugal. The official newspaper then published the bulletins of the Royal Court; laws, decrees, regulations and other Royal and Governmental acts; statistical documents; transcripts of the minutes of parliamentary sessions; share prices; customs movement and maritime service bulletins; national and international news; advertisements for goods and services; in short, an important set of official and unofficial information covering multiple sectors of the Portuguese economy, population and society.

Throughout this period, the official journal had its title changed for several times – *Gazeta de Lisboa*, *Diário da Regência*, *Crônica Constitucional de Lisboa*, *Gazeta Oficial do Governo*, *Diário de Lisboa* and *Diário do Governo* (the title it had for the most time, up to 1976, when it assumed the current title, *Diário da República*), in addition to the titles published at the service of the Liberal Regency, while two Governments coexisted in Portugal (1830-1834), the *Chronicles of Terceira* and *Porto*. And yet, the official newspaper would never cease to be published, presenting a remarkable regularity, without parallel in the context of the Portuguese press.

The website DIGIGOV – *Diário do Governo Digital* (1820-1910) features close to 30,000 issues of the Portuguese official newspaper (including supplements, appendices and extraordinary editions) published from September 16, 1820, the date of the first edition of the *Diário do Governo*, inaugurating a new stage in the life of the official newspaper of the Portuguese State, following the Liberal Revolution of August 24, and October 5, 1910, when the final issue of the official newspaper with the arms of the Monarchy was printed, due to establishment of the Republic in Portugal.

Each edition is presented in low resolution pdf (faster access), high resolution pdf (better quality), and jpeg format (non-editable). Any of these versions can be freely downloaded for personal use. The content of the pdf versions is searchable and can be copied in text format directly from the digital pages to a word processor. The studies section presents several articles on the origins of the Portuguese official newspaper, its historical context and evolution in time, the analysis of its main elements (structure, contents, writing, circulation, audience, etc.), and on some of the main foreign official newspapers and other historiographical works carried out based on this source.



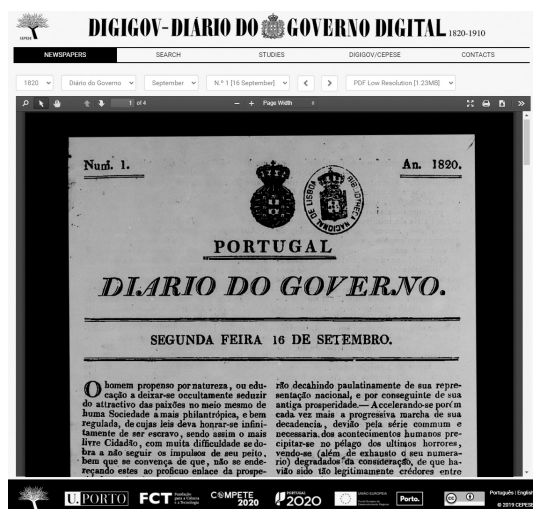
might say that they were extensions – by way of documentation – of these two research projects, providing source materials to its researchers that simultaneously became available to the whole academic community.

Produced by a different team, from a different school (CEPESE at Universidade do Porto), *DIGIGOV – Diário do Governo Digital* (1820-1910) (<https://digigov.cepe.pt/en/homepage>) is a different type of project, offering a different type of source. It does not deal directly with the traditional legal texts, and it is not produced by a research team pursuing a given subject or object, but rather is mainly focused on providing access to a large collection of texts: all of the issues of the Portu-

guese Gazette (*Diário do Governo*) published from the time of the Liberal Revolution of September 1820 until the Republican Revolution of 1910 and encompassing the entire period known as the Constitutional Monarchy. As a project, it is mainly concerned with the community of users it serves, by reconstructing a collection, creating a digital version, and providing the tools needed to search it or simply read it.

The reconstruction part of the project is considerable, given that there is no complete set of the Portuguese Gazette, and that the surviving and incomplete collections are scattered across the country and often in poor conditions of conservation or even withdrawn from public access. Furthermore, throughout the covered period, the gazette had different titles, and there were even concurring titles in the periods where there were competing governments in Portugal, in a tense situation that evolved into a civil war (1830-34). Hence, one of the merits of the DIGIGOV project is the reconstitution of a complete set of the Gazette in excellent reading conditions.

The website gives the reader a digitized version of the Gazette. It can be read online, through an intuitive interface that allows browsing the different issues, selecting the date of publication, moving from issue to issue, or searching inside a particular issue. It also allows printing or downloading each issue in pdf format, both in low and high resolution, and zooming in and out on every page. Each issue has a basic OCR that makes the



text available for searching; however, there are notable shortcomings as far as the quality of the OCR is concerned. Another way of accessing the Gazette is through the advanced search. This tool allows the user to create word or expression queries, using a set of Boolean search operators (AND, OR, AND NOT), proximity operators (NEAR), or similarity operators (SIMILAR) to narrow or widen the search. Technically, these elements are very well developed and efficient. However, the poor quality of some of the electronic text generated by the OCR may result in frustration despite a powerful search engine. On the bright side, its efficiency also helps circumvent the deficiencies of the electronic text.

The website also contains a collection of academic papers on the Portuguese Gazette and the political and cultural environment in which it was produced throughout the period, considering some international ramifications and comparative approaches with British, North American, French, Spanish and Italian as well as Brazilian gazettes.

In its present state – the website was first presented in July 2020 – DIGIGOV is a major contribution to research on 19th century Portugal and the Portuguese empire. More than 30,000 issues of the Portuguese Gazette offer a wealth of information on legal matters (laws, decrees, regulations, and royal and governmental acts), but also on a variety of subjects and forms that range from statistical reports, transcripts of parliamentary sessions, maritime bulletins, prices, national and international news, advertisements. All this gives the researcher of almost any subject a fertile field of all sorts of data. However, a more in-depth analysis reveals a lack of investment in the quality of the electronic text and, most importantly, the absence of curatorship, which would provide the user with the integration of categories of data, or an ontology that would guide the user through the riches of almost a century of a daily gazette. An ontology could enable the categorization of the sections of the different issues; it would aid identification of the government organs producing the decrees and, within each organ, an understanding of their different areas of action and the nature of the texts. All this would greatly improve an online resource of central importance for research. For this period of legal and constitutional reform and of state formation, which included the constitution of a governmental structure around ministries and sec-

retariats, it would be a noticeable improvement if the user could choose from the institutions producing those norms.

As a repository of the information published in *Diário do Governo*, the website meets the requirements expected for this type of project: it is thorough, accessible, easy to use, and provides different resolution levels, assuring the preservation of high-resolution files. However, there is room for improvement, namely at the database level. This would result in a new phase or a whole new project, of course, but with the volume of data that is already collected, it would not be impossible to achieve. The amount of electronic text should be revised – for instance through crowdsourcing and volunteer contribution from members of the community – and, from its wealth of information, a database could be created to give better access to data. Disaggregation of information from the sections of the Gazette would provide a better understanding of what is being published and a way to measure the production volume and rhythms of the different sectors of the new liberal state. A typology of texts would greatly benefit the researcher by allowing a more refined search and providing a better understanding of the institutional activity. When crossed with the temporal dimension, it would become possible to address continuity and change, rhythms and cycles. A third level of action would be the identification of persons and places, aiming at future connectivity with other online databanks.

Despite these shortcomings, DIGIGOV impresses by having compiled, organized and digitized an indispensable source for the study of 19th-century Portugal. Its importance for legal history is self-evident and its utility for historical research in general is, of course, invaluable.

If we consider the work that has been produced by the Portuguese Parliamentary Historical Archives (<https://www.parlamento.pt/sites/EN/Parliament/Paginas/Archives.aspx>), with its collections and databases on parliamentary debates (<https://debates.parlamento.pt>) and on Portuguese legislation (<https://legislacaoeregia.parlamento.pt>), the possibilities for research on 19th-century Portugal, and specifically its legal dimensions, have been broadened, and the addition represented by the DIGIGOV project is certainly a major improvement. ■